

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
TUESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 6975 of 2003

Between:

Andhra Vidhyabhivardhini Sangam rep.by its Secretary
and Correspondent, SriChanda Vijay Kumar,
r/o Matwada, Warangal.

..... PETITIONER

AND

1. The Deputy Commissioner of Endowments, Warangal.
2. Assistant Commissioner, Endowments Department,
Warangal.
3. Nagavarapu Amruthamma died per single Trustee,
Sri Bhogeswara Swamy Devasthanam, Matwada, Warangal.
4. Commissioner, Endowments Department, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction especially one in the nature of writ of Mandamus declaring the action of the 1st respondent in issuing the impugned order in I.A.No.72/2000 in O.A.No.150/1999 on 16-01-2003 ignoring the vested rights acquired by the petitioner- sangam under the provisions of Abolition of Inams Act and ignoring the interim direction given by the Inams Tribunal in R.C.No.D/5229/2002, dated 07-12-2002 as illegal, arbitrary, malafide, intentional and without any authority and consequently set aside the same as illegal.

Counsel for the Petitioner: MR.K.V.BHANU PRASAD , Advocate

**Counsel for the Respondents 1,2 and 4 : . GOVERNMENT PLEADER FOR
ENDOWMETNS.**

Counsel for respondent No.3: Mr. Ravi Kondaveti

The Court Made the Following :

Oral Order:

Heard both sides.

Petitioner-Sangam, which is in possession of land, is running the school from the year 1945 onwards by obtaining a registered lease deed and continued to run the same ever after abolition of Inams under Andhra Pradesh (Telangana Area) Abolition of Inams Act, 1955 (for short 'the Act'). It is stated that the petitioner made a claim under Section 9 of the Act to grant

Occupancy Certificate in its favour where every private building, situated within an inam shall, with effect from the date of vesting, vest in the person who owned it immediately before the said date. Admittedly, 1st proviso to Section 4 of the Act do not prohibit granting of Occupancy Certificate over the building covered under Section 9 of the Act.

In view of the same, Deputy Commissioner of Endowments, Warangal—1st respondent is hereby directed to pass final orders in O.A.No.150 of 1999 keeping in view of the above provisions. Pending passing final orders in O.A. the interim order granted by this Court that petitioner shall deposit an amount of Rs.5,000/- per month and on such deposit the 3rd respondent shall be entitled to withdraw the same without furnishing any security shall continue.

The writ petition is accordingly disposed of. No costs.

A.GOPAL REDDY, J.

22-06-2004
Murthy

ASSITANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Deputy Commissioner of Endowments, Wanrangal.
2. Assistant Commissioner, Endowments Department, Warangal.
3. Nagavarapu Amruthamma died per single Trustee, Sri Bhogeswara Swamy Devasthanam, Matwada, Warangal.
4. Commissioner, Endowments Department, Hyderabad.
5. *2CCs to Govt. Pleader for Endowmttns.(OUT)*
6. *2 CDs.*